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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-491

12 **ELIZABETH M. ANDERSON, AKA**
13 **ELIZABETH ANDERSON**
7018 A Gaston Lane
14 Tumwater, Washington 98501

ACCUSATION

15 **Registered Nurse License No. 364808**

16 Respondent.

17
18 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about August 31, 1983, the Board issued Registered Nurse License Number
24 364808 to Elizabeth M. Anderson, also known as Elizabeth Anderson ("Respondent"). The
25 Registered Nurse License expired on April 30, 2009, and has not been renewed.

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JURISDICTION

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued, or reinstated.

5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

3 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4),
4 on the grounds of unprofessional conduct, in that on or about November 16, 2011, the State of
5 Washington, Department of Health, Nursing Care Quality Assurance Commission, in a
6 disciplinary action entitled, *In the Matter of Elizabeth Anderson Credential No.*
7 *RN.RN.00130725, Credential No. ARNP.AP.30005512-ANP*, Case Nos. M2008-117236 and
8 M2008-118532, issued a *Stipulated Findings of Fact, Conclusions of Law and Agreed Order on*
9 *Modification* (attached hereto as **Exhibit A** and incorporated herein by reference) indefinitely
10 suspending Respondent's credentials to practice as a Registered Nurse and an Advanced
11 Registered Nurse in the State of Washington. The basis of such action is the finding by the
12 Nursing Care Quality Assurance Commission that Respondent is unable to practice with
13 reasonable skill and safety due to a mental condition.

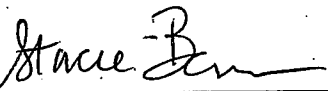
14 PRAYER

15 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

17 1. Revoking or suspending Registered Nurse License Number 364808, issued to
18 Elizabeth M. Anderson, also known as Elizabeth Anderson;

19 2. Ordering Elizabeth M. Anderson, also known as Elizabeth Anderson, to pay the
20 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
21 case, pursuant to Code section 125.3; and,

22 3. Taking such other and further action as deemed necessary and proper.

23
24 DATED: December 13, 2012 
25 for LOUISE R. BAILEY, M.ED., R.N.
26 Executive Officer
27 Board of Registered Nursing
28 State of California
Complainant

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EXHIBIT A

*Stipulated Findings of Fact, Conclusions of Law and Agreed Order on Modification
In the Matter of Elizabeth Anderson
Department of Health, Nursing Care Quality Assurance Commission
State of Washington*

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NURSING CARE QUALITY ASSURANCE COMMISSION

In the Matter of

ELIZABETH ANDERSON

Credential No. RN.RN.00130725

Credential No. ARNP.AP.30005512-ANP

Respondent

No. M2008-117236

No. M2008-118532

**STIPULATED FINDINGS OF
FACT, CONCLUSIONS OF LAW
AND AGREED ORDER ON
MODIFICATION**

The Nursing Care Quality Assurance Commission (Commission), by and through Miranda Bayne, Department of Health Staff Attorney, and Respondent, represented by counsel, if any, stipulate and agree to the following:

1. PROCEDURAL STIPULATIONS

1.1 Respondent is credentialed to practice as a registered nurse and as an advanced registered nurse practitioner in the state of Washington.

1.2 On October 23, 2009, the Commission entered a Stipulated Findings of Fact, Conclusions of Law and Agreed Order (2009 Agreed Order) In the Matter of Elizabeth Anderson (Master Case Numbers M2008-117236 and M2008-118532).

1.3 On or about October 12, 2011, Respondent requested, in writing, modification of the terms of the 2009 Agreed Order.

1.4 A member of the Commission reviewed Respondent's request and proposed modification of the terms of the 2009 Agreed Order as set out in Section 4 below.

1.5 The parties agree to resolve this matter by means of this Stipulated Findings of Fact, Conclusions of Law, and Agreed Order on Modification (Agreed Order on Modification).

1.6 Respondent waives the opportunity for a hearing on the request for modification provided that the Commission accepts this Agreed Order on Modification.

1.7 Respondent understands that this Agreed Order on Modification is not binding unless and until it is signed and accepted by the Commission.

1.8 If the Commission accepts this Agreed Order on Modification, it is subject to the federal reporting requirements pursuant to Section 1128E of the Social Security Act

STIPULATED FINDINGS OF FACT, CONCLUSIONS OF LAW
AND AGREED ORDER ON MODIFICATION
NOS. M2008-117236 & M2008-118532

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and 45 CFR Part 61, RCW 18.130.110 and any other applicable interstate/national reporting requirements. It is a public document and will be available on the Department of Health web site.

1.9 If the Commission rejects this Agreed Order on Modification, Respondent waives any objection to the participation at hearing of any Commission members who heard the Agreed Order on Modification presentation.

2. FINDINGS OF FACT

The State and Respondent stipulate to the following facts:

2.1 On July 22, 1998, the state of Washington issued Respondent a credential to practice as a registered nurse. Respondent's credential is currently active on probation.

2.2 On December 16, 1999, the state of Washington issued Respondent a credential to practice as an advance registered nurse practitioner (ARNP). Respondent's ARNP credential is currently suspended.

2.3 On October 23, 2009, the Commission entered a Stipulated Findings of Fact, Conclusions of Law and Agreed Order (2009 Agreed Order) In the Matter of Elizabeth Anderson (Master Case Numbers M2008-117236 and M2008-118532). The Findings of Fact in the 2009 Agreed Order were:

A. On July 22, 1998, the state of Washington issued Respondent a credential to practice as a registered nurse. Respondent's credential is currently active.

B. On December 16, 1999, the state of Washington issued Respondent a credential to practice as an advance registered nurse practitioner (ARNP). On or about May 13, 2007, Respondent's ARNP credential was suspended for a period of at least twelve (12) months pursuant to a Stipulated Findings of Fact, Conclusions of Law and Agreed Order.

C. On or about July 2007 and January 2008, the Commission received information that Respondent may be unable to practice with reasonable skill and safety by reason of a mental condition.

D. On December 11, 2008, the Commission ordered Respondent to obtain a mental examination.

- E. In approximately January 2008 and again in March and April of 2009, Respondent was evaluated by Dr. Levine.
- F. Dr. Levine concluded that Respondent could practice safely as a registered nurse, but only under appropriate oversight, in a structured environment, and with certain restrictions on her practice.
- G. Dr. Levine concluded that she probably could not practice safely as an advanced registered nurse practitioner at the present time.

2.4 On or about October 12, 2011, Respondent requested, in writing, modification of the terms of the 2009 Agreed Order.

3. CONCLUSIONS OF LAW

The State and Respondent agree to the entry of the following Conclusions of Law:

- 3.1 The Commission has jurisdiction over Respondent and over the subject matter of this proceeding.
- 3.2 Respondent is unable to practice with reasonable skill and safety pursuant to RCW 18.130.170(1).
- 3.3 The above violation provides grounds for imposing sanctions under RCW 18.130.160.
- 3.4 This Agreed Order on Modification supersedes the 2009 Agreed Order.

4. AGREED ORDER

Based on the Findings of Fact and Conclusions of Law, Respondent agrees to the entry of the following Agreed Order on Modification:

4.1 Respondent's credentials to practice as a registered nurse and as an advanced registered nurse practitioner in the state of Washington are **INDEFINITELY SUSPENDED**.

4.2 Prior to petitioning for reinstatement of her credentials, Respondent shall pay a fine to the Commission in the amount of one thousand dollars (\$1,000.00). The fine shall be paid by certified or cashier's check or money order, made payable to the Department of Health and mailed to the Department of Health, Nursing Care Quality Assurance Commission, at PO Box 1099, Olympia, Washington 98507-1099. Credit or Debit cards can also be used for payment at the front counter of the Department of Health

building at 310 Israel Road SE, Tumwater, Washington 98501, during regular business hours.

4.3 Within ninety (90) days prior to any petition for reinstatement, Respondent shall undergo a psychiatric or psychological evaluation by a psychiatrist or psychologist pre-approved by the Commission. Prior to the evaluation, Respondent shall provide the evaluator with a copy of this Agreed Order on Modification. Respondent shall ensure that a copy of the evaluator's report is provided to the Commission within thirty (30) days of its completion. Respondent shall comply with all treatment or follow up care recommendations made by the evaluator.

4.4 If and when Respondent petitions for reinstatement of her credentials, Respondent shall also submit a letter to the Commission detailing why she ceased nursing and why she feels she is safe to practice, and outlining her plans on how she will comply with the treatment recommendations from the above referenced evaluation.

4.5 Any documents required by this Agreed Order on Modification shall be sent to the Department of Health, Nursing Care Quality Assurance Commission at PO Box 47864, Olympia, WA 98504-7873.

4.6 Respondent shall obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

4.7 Respondent is responsible for all costs of complying with this Agreed Order on Modification.

4.8 Respondent shall inform the Department of Health Office of Customer Service, in writing, of changes in Respondent's residential and/or business address within thirty (30) days of the change. The mailing address for the Office of Customer Service is PO Box 47865, Olympia, WA 98504-7865.

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5. ACCEPTANCE

I, ELIZABETH ANDERSON, Respondent, have read, understand and agree to this Agreed Order on Modification. This Agreed Order on Modification may be presented to the Commission without my appearance. I understand that I will receive a signed copy if the Commission accepts this Agreed Order on Modification.

E. M. Anderson
ELIZABETH ANDERSON
RESPONDENT

11.8.2011
DATE

_____, WSBA #
ATTORNEY FOR RESPONDENT

DATE

6. ORDER

The Commission accepts and enters this Stipulated Findings of Fact, Conclusions of Law and Agreed Order on Modification.

DATED: November 16, 2011

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NURSING CARE QUALITY ASSURANCE
COMMISSION

Lusana Wong
PANEL CHAIR

PRESENTED BY:

Miranda Bayne
MIRANDA BAYNE, WSBA #38189
DEPARTMENT OF HEALTH STAFF ATTORNEY

11/16/11
DATE